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Attorneys for Defendants PEERLESS INSURANCE COMPANY, LIBERTY MUTUAL  
FIRE INSURANCE COMPANY and GOLDEN EAGLE INSURANCE  
CORPORATION

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

SHAW MORTGAGE  
CORPORATION dba  
PATIOSOURCE & THE NATURAL  
TOUCH, a California Corporation

Plaintiffs,

v.

PEERLESS INSURANCE  
COMPANY, a New Hampshire  
Company; GOLDEN EAGLE  
INSURANCE CORPORATION, a  
California Corporation; LIBERTY  
MUTUAL INSURANCE COMPANY,  
a Massachusetts Company; and DOES  
1 – 20, inclusive,

Defendants.

CASE NO.: 08 CV 0709 BTM AJB

SDSC Case No. 37-2007-00084451-CU-BC-  
CTL

**DECLARATION OF DALE A. AMATO  
IN SUPPORT OF MOTION TO DROP  
GOLDEN EAGLE INSURANCE  
CORPORATION AS A SHAM  
DEFENDANT**

**[Per Chambers, no oral argument unless  
requested by the Court.]**

**DATE: 6-6-08  
TIME: 11:00 a.m.  
COURTROOM: 15**

Date Complaint Filed: 12/21/2007

I, DALE A. AMATO, hereby declare as follows:

1. I am an attorney admitted to practice in this court, and I am a partner with the Berger Kahn law firm, legal counsel of record for Defendants Peerless Insurance Company, Golden Eagle Insurance Corporation and Liberty Mutual Insurance Company in the above-entitled matter. If called to testify in this matter, I could and would testify competently to the following facts, which are within my personal knowledge.

2. On December 21, 2007, SMC filed its Complaint in the San Diego Superior Court. On February 28, 2008, SMC filed its First Amended Complaint. A true and correct copy of Shaw Mortgage Corporation's First Amended Complaint is attached as Exhibit "1" to this declaration.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

s/Dale A. Amato